≡ SECTIONS   Search...   🔍   **MILWAUKEE·WISCONSIN** **JOURNAL SENTINEL** PULITZER PRIZE WINNER 2008 2010 2011   ☀️ 66°   👤 SUBSCRIBER LOGIN

WATCHDOG REPORTS | A JOURNAL SENTINEL WATCHDOG REPORT

MPD staff routinely changed crime codes

Inquiry finds the practice helps create faulty violent crime rate

By *Ben Poston* of the Journal Sentinel

Related Coverage

- MPD staff routinely changed crime codes
- Council delays action on plan to audit Milwaukee crime data
- City, police department erred in records case, judge rules

Records show weapon codes were altered

Click image to enlarge.

Crime Drop?

A Journal Sentinel investigation found more than 500 serious assault cases that were misreported by Milwaukee police as lesser crimes that

June 12, 2012   💬 0   f 🐦 ✉️ 🖨️

Milwaukee police record clerks have routinely changed computer codes by hand in a way that removes serious assaults from the city's violent crime rate, a Journal Sentinel investigation has found.

This is done even when the department's computer system flags the incidents as cases where an aggravated assault classification is warranted because a dangerous weapon was used.

Instead of correcting the report to put the incident in the proper crime category, in hundreds of cases clerks or supervisors changed the weapon listing to generic codes that avoided triggering additional scrutiny by state and FBI crime analysts.

That allowed the incidents to be reported as simple assaults, a lesser classification that is not part of the city's violent crime rate, which Police Chief Edward Flynn and Mayor Tom Barrett have touted as dropping for four consecutive years.

While Flynn has blamed computer issues for more than 500 cases of misreported aggravated assaults identified by a Journal

EXHIBIT 43

`- - - - - 1275`

Case 2:16-cv-01089-WED   Filed 06/21/19   Page 1 of 8   Document 86-43

department officials now acknowledge handled cases incorrectly.

It is unclear how long the incorrect changing of weapon codes has gone on, how often cases flagged as errors are properly revised and how clerks were trained or instructed to handle them.

"It defies belief that this problem could be the result of 'computer error' or random mistakes by clerks," said Samuel Walker, criminology professor at the University of Nebraska-Omaha. "Why are the errors so concentrated in one crime category and the mistakes all in the same direction?"

Flynn prides himself on having accurate data to use in making crime-fighting decisions, such as where officers are deployed.

But the Journal Sentinel's review of the system shows it allows errors to be entered at the onset and crimes downgraded easily by a small group of clerks or supervisors with the ability to later override what is entered. That provides a distorted view of crime trends.

Department officials say there is no deliberate attempt to lower violent crime numbers and that it's simply a case of record clerks not being properly trained.

"In some cases it's the result of a person not having the training needed to understand the consequences of making certain changes," said Deputy Inspector William Jessup, who is in charge of the department's Office of Management, Analysis and Planning. "In other cases, it's simply human error."

Could Have Been Fixed

Jessup said the clerks should have - and could have just as easily - changed the crime code field to put the incidents in the correct category of aggravated assault.

- - - - - - 1 2 7 6

He could not say how often clerks had improperly changed weapon codes, but the Journal Sentinel identified hundreds of cases since 2009 where that

The Journal Sentinel review of the department's procedures, based on a police demonstration of how the computer system works and interviews with top officials, sheds new light on the city's flawed reporting of crime data.

In addition to the more than 500 cases of misreported aggravated assaults, the Journal Sentinel in May identified more than 800 cases that fit the same pattern but couldn't be verified with available public records. Copies of those incident reports have been sought from police through an open records request but have not yet been released.

Not counting any of those additional 800-plus cases, the review found enough misreported aggravated assault cases in 2011 alone that violent crime would have increased 1.1% instead of falling 2.3% from the reported 2010 figures, which had their own errors.

When presented with a sample of the incidents, police officials agreed they had been misreported and told the Journal Sentinel that the department would correct them with the state and FBI.

Despite earlier suggestions from Flynn and police officials, the department's computer system cannot change codes.

Only a police "super user" - typically clerical staff and supervisors - can access the system and revise crime and weapon codes before the data are sent to the state and FBI, police officials told the Journal Sentinel. There are roughly 20 to 25 police personnel who have super user privileges, Jessup said.

Flynn Blamed System

Responding to the Journal Sentinel's original findings, Flynn said the department's records management system is to blame for many of the crime coding problems.

Officials said the system used by the department, run on software sold by Tiburon, Inc., allows officers to enter incorrect crime codes at the initial

- - - - 1 2 7 7

Case 2:16-cv-01089-WED   Filed 06/21/19   Page 3 of 8   Document 86-43

California-based Tiburon provides records management support to about
500 police departments nationwide.

A Tiburon spokesman did not return calls seeking comment on the
department's criticism.

While the department requested $7.5 million in April to overhaul or
replace the computer system over the next three years as part of the city's
long-range capital improvement budget, the project was ranked sixth of 10
priority items and it was not authorized by aldermen.

The requests ahead of it included renovations to the Police Administration
Building and upgrades to the communication system.

"They put repairs to the records management system right below a
redesign of the restrooms in the 911 dispatch center, so I'm not exactly
sure how much emphasis they were looking for on this particular
problem," Ald. Joe Dudzik said.

Police officials told the Journal Sentinel they long have had problems with
the Tiburon computer system and would prefer the system flag errors such
as when a simple assault is initially filed with a dangerous weapon.

In fact, the system does that, but at the end of the process.

Before sending crime data to the Wisconsin Office of Justice Assistance,
which later sends the data to the FBI, a validation process is run to ensure
accuracy.

If a police officer mistakenly files a battery case as a simple assault with a
dangerous weapon, the computer software will show an error.

It won't allow the incident to be sent along to the state unless a change is
made.   - - - - - - 1 2 7 8

Instead of revising the crime code to correctly reflect an aggravated
assault, police super users can change the weapon codes to generic ones
such as "personal" or "other" weapons , Jessup said.

group of personnel also make mistakes. Mistakes are made on the front end. Additional mistakes are made on the back end.

"Very often those mistakes on the front end are caught on the back end," he said. "But again, they can't be expected to be perfect and that's why we have additional training."

Last month the Journal Sentinel requested the record history of 10 incidents to see whether weapon codes were changed at the end of the reporting process. Those records have not yet been provided.

Jessup said misreported simple assault cases where dangerous weapons were used will likely show a super user changed the weapon codes on the back end so he could send the report through to the state.

Police personnel usually make changes to incidents in the record management system as additional information comes to light, said Michael Maltz, criminology professor at Ohio State University.

"If (those changes) are being made to downgrade a crime's seriousness, this is a problem that the Police Department needs to address," said Maltz, also senior researcher at the university's Criminal Justice Research Center.

Internal Review Planned

In response to the Journal Sentinel's initial investigation, Flynn said the department will conduct an internal review of its crime reporting system and share their findings with the Fire and Police Commission and the public.

The department's audit consists of a targeted review of thousands of assault incidents since 2006 and also a comprehensive review of other crime categories during that time, Jessup told the Journal Sentinel.

Last year, Milwaukee police requested that FBI auditors include the department in a regular statewide audit of crime reporting that was

- - - - - - 1 2 7 9

The sample used in the periodic FBI audits typically covers hundreds of reports. The Journal Sentinel's investigation included some 60,000 cases, which amounted to more than one-fifth of the 280,000 reported crimes in the period covered. Only the cases sent to prosecutors could be reviewed based on available data.

Mike Tobin, executive director of the Milwaukee Fire and Police Commission, said once the internal and FBI audits are completed, the commission will decide whether an outside consultant should be hired to correct errors and develop procedures to prevent any future crime reporting problems. It is unclear how much an outside consultant would cost.

"We are actively working on this issue, and I ask that the community remain patient while we evaluate the coding system," Tobin said.

The mayor's office issued a one-sentence statement: "The Police Department and the Fire and Police Commission are working through the issues."

The Journal Sentinel's review found coding errors are often introduced at the very start of the crime reporting process.

Milwaukee police officials acknowledge the department has not trained officers to know or understand FBI crime codes. Instead, officers are taught to accept whatever code the computer automatically generates when they fill out the charging field.

So if an officer arrests someone for misdemeanor battery with dangerous weapon - an aggravated assault by FBI guidelines - the system populates a "simple assault" in the crime field, even though it's the wrong classification.

When asked by the Journal Sentinel if officers should be trained on the FBI crime reporting process, Flynn said last month he hadn't "given a lot of thought" to the matter.

1280

is worried about how it's going to pop up in a data field someday to be mined for our uniform crime reports."

Joel Plant, chief of staff to Flynn, said the department will develop recommendations as a result of its internal audit, but would not say if training officers on FBI crime codes was being considered.

Like Milwaukee, the Kansas City Police Department uses Tiburon software to report its crime data to the FBI.

Following an internal audit that found problems in the crime reporting process, Kansas City police in 2009 trained roughly 1,500 officers on the incident-based reporting guidelines, Kansas City police Capt. Greg Volker said.

"We are better for it," Volker said. "Our officers understand what a (simple assault) is and what an (aggravated assault) is. We didn't just make a few people accountable, we made everybody accountable."

About Ben Poston

Ben Poston is the Journal Sentinel's investigative reporter focusing on database and mapping analysis. He joined the newspaper in June 2007 and has written about weaknesses in the region's tornado warning system, inspection delays for dangerous dams and convicted felons who obtain gun hunting licenses. Previously, he worked as a data analyst at the National Institute for Computer-Assisted Reporting in Columbia, Mo. Prior to that, he worked for three years as a reporter for Cox Newspapers in Ohio. Poston worked for a year as a freelance reporter on a wrongful conviction murder case in Southeastern Missouri that was published in the St. Louis Post-Dispatch. He wrote stories from Mississippi detailing the aftermath of Hurricane Katrina that won a 2006 Best of Cox Newspapers Award. Poston holds a bachelor's degree in international studies from Miami University (Ohio) and a master's degree in journalism from the University of Missouri, where he focused on database, mapping and social network analysis. He can be reached at bposton@journalsentinel.com or (414) 224-2572.

✉ bposton@journalsentinel.com　📞 (414) 224-2572

💬 0　　　f Share　　　🐦 Tweet　　　✉ Email　　　🖨 Print

- - - - - - 1 2 8 1

News　Watchdog　Opinion　Sports　Business　Entertainment

Lifestyle　Green Sheet

PART OF THE USA TODAY NETWORK

Connect With Us

≡ SECTIONS   Search...   🔍   **JSONLINE.COM**
MILWAUKEE · WISCONSIN
JOURNAL SENTINEL
PULITZER PRIZE WINNER 2008 2010 2011

☀️ 66° 👤 SUBSCRIBER LOGIN

YouTube	Archives	Paid death notices		wisconsin *trails*
RSS	Historical archives	Back copies	Job Openings	JSHomes
Mobile apps		Digital access FAQ		JSAutos CarSoup.com JSJobs
		Classifieds		
		Display ads		

- - - - - - 1282